



Practitioner's Docket No. MPI01-020P1RNM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gimeno, Ruth E., et al.
Application No.: 10/086,181 Group No.: 1637
Filed: February 26, 2002 Examiner: Wilder, Cynthia B.
For: METHODS FOR THE TREATMENT OF METABOLIC DISORDERS,
INCLUDING OBESITY AND DIABETES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.


Signature

Date: February 17, 2005

Sean Hunziker

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" *must* have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will *not* be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Practitioner's Docket No. MPI01-020P1RNM

- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

OR

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

Practitioner's Docket No. MPI01-020P1RNM

FEE PAYMENT

3. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

Fee due \$0.00

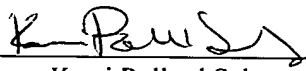
METHOD OF PAYMENT OF FEE

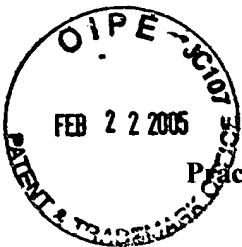
4. ☐ Attached is a check in the amount of \$ _____ .
☐ Charge Account No. 501668 in the amount of \$0.00 .
☒ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

February 17, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By 
Kerri Pollard Schray
Registration No. 47,066
40 Landsdowne Street
Cambridge, MA 02139
Telephone – (617) 551-3676
Facsimile – (617) 551-8820



Practitioner's Docket No. MPI01-020P1RNM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gimeno, Ruth E., et al.

Application No.: 10/086,181

Group No.: 1637

Filed: February 26, 2002

Examiner: Wilder, Cynthia B.

For: METHODS FOR THE TREATMENT OF METABOLIC DISORDERS,
INCLUDING OBESITY AND DIABETES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) (4 pages)
3. ☒ Copies of Listed Information Items Accompanying This Statement (26 references)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)


37 C.F.R. SECTION 1.10*

- ☒ with sufficient postage as first class mail.

- ☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.


Signature

Date: February 17, 2005

Sean Hunziker

(type or print name of person certifying)

Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

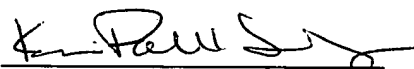
Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

February 17, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By



Kerri Pollard Schray

Registration No. 47,066

40 Landsdowne Street

Cambridge, MA 02139

Telephone – (617) 551-3676

Facsimile – (617) 551-8820



+

Approved for use through 10/31/99. OMB 0654-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

Complete if Known

(use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/086.181

Filing Date

February 26, 2002

First Named Inventor

Gimeno, Ruth E., et al.

Group Art Unit

1637

Examiner Name

Wilder, Cynthia B.

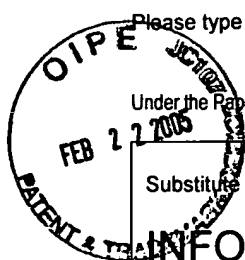
Attorney Docket Number

MPI01-02P1RNM

U.S. PATENT DOCUMENTS

[illegible]

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.



Please type a plus sign (+) inside this box → ☐

PTO/SB/08B (10-96)

Approved for use through 10/31/99. OMB 0654-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

3

Complete if Known

Application Number	10/086,181
Filing Date	February 26, 2002
First Named Inventor	Gimeno, Ruth E., et al.
Group Art Unit	1637
Examiner Name	Wilder, Cynthia B.
Attorney Docket Number	MPI01-020P1RNM

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	C1	Nishina, P.M. <i>et al.</i> (1994), <i>Metab.</i> 43:554-558	
	C2	Grundy, S. M. & Barnett, J.P. (1990), <i>Dis. Mon.</i> 36:641-731	
	C3	Sears, I. B. <i>et al.</i> (1996) <i>Mol. Cell. Biol.</i> 16(7):3410-3419	
	C4	Kahn <i>et al.</i> , (1996) <i>Annu. Rev. Med.</i> 47:509-531	
	C5	Nielsen <i>et al.</i> (2000) <i>Proc. Natl. Acad. Sci.</i> 97:10277-10281	
	C6	Hsu <i>et al.</i> (2000) <i>Mol. Endocrinol.</i> 14:1257-1271	
	C7	Han <i>et al.</i> (1998) <i>Biochemistry</i> 37:8253-8261	
	C8	Egan <i>et al.</i> (1998) <i>Ann. N. Y. Acad. Sci.</i> 861:136-139	
	C9	Gasic <i>et al.</i> (1999) <i>J. Biol. Chem.</i> 275:6770-6775	
	C10	Wiese <i>et al.</i> (1995) <i>J. Biol. Chem.</i> 270:3442-3446	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Please type a plus sign (+) inside this box →

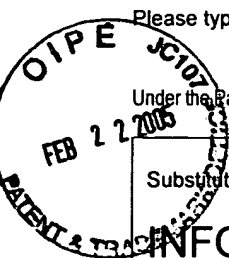
+

PTO/SB/08B (10-96)

Approved for use through 10/31/99. OMB 0654-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 3

Complete if Known

Application Number	10/764,649
Filing Date	January 26, 2004
First Named Inventor	Xu, Haiyan, et al.
Group Art Unit	1646
Examiner Name	Howard, Zachary C.
Attorney Docket Number	MPI03-025P1RN

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	C20	Nakamura <i>et al.</i> (2001) <i>Diabetes Res. Clin. Pract.</i> 51:9-20	
	C21	O'Harte <i>et al.</i> (2001) <i>Regul. Pept.</i> 96:95-104	
	C22	Yamanouchi <i>et al.</i> (2000) <i>Exp. Anim.</i> 49:259-266	
	C23	Hoenig <i>et al.</i> (2000) <i>Am. J. Pathol.</i> 157:2143-2150	
	C24	Reed <i>et al.</i> (2000) <i>Metabolism</i> 49:1390-1394	
	C25	Clark <i>et al.</i> (2000) <i>J. Pharmacol. Toxicol. Methods</i> 43:1-10	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Please type a plus sign (+) inside this box →

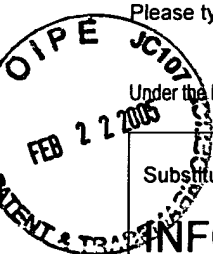
+

PTO/SB/08B (10-96)

Approved for use through 10/31/99. OMB 0654-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	2	of	3	Attorney Docket Number	MPI03-025P1RN
-------	---	----	---	------------------------	---------------

Complete if Known

Application Number	10/764,649
Filing Date	January 26, 2004
First Named Inventor	Xu, Haiyan, et al.
Group Art Unit	1646
Examiner Name	Howard, Zachary C.
Attorney Docket Number	MPI03-025P1RN

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	C11	Friedman, J. M. <i>et al.</i> (1991) <i>Mamm. Gen.</i> 1:130-144	
	C12	Friedman, J. M. and Liebel, R. L. (1992) <i>Cell</i> 69:217-220	
	C13	Bray, G. A. (1989) <i>Amer. J. Clin. Nutr.</i> 5:891-902	
	C14	Stubdal H. <i>et al.</i> (2000) <i>Mol. Cell Biol.</i> 20(3):878-82	
	C15	Abadie J.M. <i>et al.</i> <i>Lipids</i> (2000) 35(6):613-20	
	C16	Shaughnessy S. <i>et al.</i> (2000) <i>Diabetes</i> 49(6):904-11	
	C17	Loskutoff D.J. <i>et al.</i> (2000) <i>Ann. N. Y. Acad. Sci.</i> 902:272-81	
	C18	Alleva <i>et al.</i> (2001) <i>J. Clin. Invest.</i> 107:173-180	
	C19	Arakawa <i>et al.</i> (2001) <i>Br. J. Pharmacol.</i> 132:578-586	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²Applicant is to place a check mark here is English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.